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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Application Number 09/937,437

Filing Date November 26, 2001

First Named Inventor Bruck, et al.

Art Unit Unknown

Examiner Name Unknown

Total Number of Pages in This Submission

Attorney Docket Number BC45226

ENCLOSURES (Check all that apply)

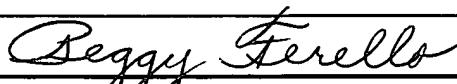
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
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<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Communication with Exhibits A, B and C
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	CRF diskette of Sequence Listing
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	Acknowledgement Postcard
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Eric A. Meade, Reg. #42,876
Signature	
Date	September 9, 2003

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Peggy Ferello		
Signature		Date	September 9, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON SEPTEMBER 9, 2003

Peggy Ferello
Peggy Ferello
September 9, 2003
DATE

Attorney Docket No. BC45226

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bruck et al.
Serial No.: 09/937,437
Filed: not yet assigned
For: Novel Compounds

Group Art Unit: unknown
Examiner: unknown

Attn: Tamala D. Holden
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Communication

Sir:

This Communication accompanies a copy of a response (Exhibit A) to a Notification of Defective Response that was originally filed on February 25, 2003 (Exhibit B). Applicants were advised during a phone call with Ms. Holden on September 6, 2003 that no response to the Notification of Defective Response of February 5, 2003 ("the Notice") had been received by the PCT Office. Notwithstanding, Applicant respectfully submits that a paper responsive to the Notice was deposited with sufficient postage in an envelope as "Express Mail Post Office to Addressee" Mailing Label No. EV 134 776 025 US addressed to: Attn: Tamala D. Holland, Commissioner for Patents, Washington, D.C. 20231 on February 25, 2003. It is noted that the response was received by the Office on February 25, 2003 as evidenced by the date stamped, acknowledgement postcard, a copy of which is submitted herewith (Exhibit C).

The Notice indicates that additional claim fees are due for this application. Applicant respectfully traverses. The Preliminary Amendment submitted with the application specifically directs entry of the Amendment before the calculation of fees.

Applicant hereby states that the enclosed CRF diskette submitted herewith is identical to the paper copy of the "Sequence Listing" contained in the copy of International Application No. PCT/EP00/02478 which was submitted on September 26, 2001 for filing with the US Patent Office and contains no new matter.

Applicant respectfully requests entry of this response into the record of the application.

FEE DEFICIENCY

If an extension of time is deemed required for consideration of this paper, please consider this paper to comprise a petition for such an extension of time; The Commissioner is hereby authorized to charge the fee for any such extension to Deposit Account No. 50-0258.

and/or

If any additional fee is required for consideration of this paper, please charge Account No. 50-0258.

Respectfully submitted,



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